

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

JOSHUA MEYER,)	
)	
Petitioner,)	Civil Action No. 05-1330
)	
v.)	Judge Terrence F. McVerry
)	Magistrate Judge Lisa Pupo Lenihan
J. BARRY JOHNSON, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

A petition for writ of habeas corpus was received in the above-captioned case by the Clerk of Court in September 2005. (See Doc. Nos. 1 & 4). The case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On July 12, 2006, the Magistrate Judge issued a Report and Recommendation (Doc. No. 9), recommending that the petition be denied and that a certificate of appealability be denied. Petitioner was served at his address of record. He was advised that he was allowed ten (10) days from the date of service to file written objections to the report and recommendation. Petitioner did not file objections.

After review of the submissions and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 4th day of August 2006;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is **DENIED** and a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 9) of Magistrate Judge Lenihan, dated July 12, 2006, is adopted as the opinion of the court.

s/ Terrence F. McVerry
United States District Court Judge

cc: Lisa Pupo Lenihan
UNITED STATES MAGISTRATE JUDGE

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